

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
FIRST REGULAR SESSION
8th Legislative Day
Thursday, January 29, 2015

The Speaker resumed the Chair.

The House met according to adjournment and was called to order by the Speaker.

Prayer by Theodore R. Towne, Charles S. Hatch Post No. 79, Berwick.

Colors presented by Kennebec County Veterans' Honor Guard.

National Anthem by Armand Larochelle, Brunswick American Legion Post 20.

Pledge of Allegiance.

Doctor of the day, Patrick Connolly, M.D., Falmouth.

At this point, pursuant to his authority under House Rule 201, the Chair addressed the House.

The SPEAKER: The legislative session that was scheduled for Tuesday, January 27th was cancelled by the presiding officers due to the storm.

The Journal of Thursday, January 22, 2015 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 36)

**STATE OF MAINE
127TH MAINE LEGISLATURE**

January 14, 2015

Honorable Paul R. LePage

Governor of Maine

1 State House Station

Augusta, Maine 04333

Dear Governor LePage:

We are pleased to invite you to deliver your Budget Address at a Joint Session of the 127th Maine Legislature on Tuesday, February 3rd at 7:00 p.m.

We look forward to seeing you then.

Sincerely,

S/Michael D. Thibodeau

President of the Senate

S/Mark W. Eves

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 32)

WASHINGTON COUNTY DEVELOPMENT AUTHORITY

January 15, 2015

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Honorable Michael D. Thibodeau

President of the Senate

3 State House Station

Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Washington County Development Authority due by February 1, 2015.

Please contact me if you have any questions or need additional information. Thank you.

Sincerely,

S/Betsy Fitzgerald

Authority Chairman

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 33)

**MAINE PUBLIC EMPLOYEES RETIREMENT SYSTEM
96 SEWALL STREET
AUGUSTA, MAINE 04332-0349**

January 21, 2015

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Honorable Michael D. Thibodeau

President of the Senate

3 State House Station

Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Public Employees Retirement System (MainePERS) due by February 1, 2015.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Sandra J. Matheson

Executive Director

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 34)

**MAINE EDUCATIONAL LOAN AUTHORITY
131 PRESUMPSCOT STREET
PORTLAND, MAINE 04103**

January 23, 2015

Honorable Mark W. Eves

Speaker of the House

2 State House Station

Augusta, Maine 04333

Honorable Michael D. Thibodeau

President of the Senate

3 State House Station

Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Educational Loan Authority due by February 1, 2015.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/John C. Atkinson

Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 35)

**MAINE VENTURE FUND
P. O. BOX 63
NEWPORT, MAINE 04953**

January 26, 2015

Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333
Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the attached "Report to Legislature for 2014" on behalf of the quasi-independent state entity, Small Enterprise Growth Board, due February 1, 2015.

Please contact me if you have any questions or need additional information. Thank you.

Sincerely,

S/Terri Wark

Office Operations Manager
Small Enterprise Growth Board
d/b/a Maine Venture Fund

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 37)

**MAINE PORT AUTHORITY
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016**

January 23, 2015

Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333
Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333

Dear Speaker Eves and President Thibodeau:

Pursuant to 5 M.R.S.A., Section 12023, the Maine Port Authority is pleased to submit the following report to the Legislature, due by February 1, 2015.

Please contact me if you have any questions or need additional information.

Sincerely,

S/John H. Henshaw

Executive Director

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 38)

**EFFICIENCY MAINE
168 CAPITOL STREET
AUGUSTA, MAINE 04330**

January 31, 2015

Honorable Michael D. Thibodeau
President of the Senate
2 State House Station

Augusta, Maine 04333
Honorable Mark W. Eves
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Thibodeau and Speaker Eves:

Pursuant to 5 M.R.S.A., Section §12023, please consider this the letter of transmittal for the required report from Efficiency Maine Trust due by February 1, 2015.

Please contact me if you have any questions or need additional information. Thank you.

Sincerely,

S/Michael D. Stoddard

Executive Director

READ and with accompanying papers **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

The following Bills and Resolves were received, and upon the recommendation of the Committee on Reference of Bills were **REFERRED** to the following Committees, ordered printed and sent for concurrence:

APPROPRIATIONS AND FINANCIAL AFFAIRS

Bill "An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Marine Resources, the Department of Agriculture, Conservation and Forestry, the Department of Environmental Protection and the Baxter State Park Authority for the Fiscal Year ending June 30, 2015" (EMERGENCY)

(H.P. 106) (L.D. 148)

Sponsored by Representative ROTUNDO of Lewiston.
(GOVERNOR'S BILL)

Cosponsored by Senator HAMPER of Oxford.

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill "An Act To Protect Private Property and Livestock from Fireworks"

(H.P. 107) (L.D. 149)

Sponsored by Representative HEAD of Bethel.

Cosponsored by Representative: SKOLFIELD of Weld.

Bill "An Act To Provide Anger Management Courses or Additional Imprisonment for Domestic Violence Offenders"

(H.P. 108) (L.D. 150)

Sponsored by Representative HEAD of Bethel.

Cosponsored by Representatives: BUCKLAND of Farmington, CRAFTS of Lisbon, DILLINGHAM of Oxford, MALABY of Hancock, PETERSON of Rumford, TUELL of East Machias, WADSWORTH of Hiram, WOOD of Sabattus.

Bill "An Act To Protect Farm Animals from Noise from the Discharge of Fireworks and Explosives"

(H.P. 135) (L.D. 177)

Sponsored by Representative HOBART of Bowdoinham.

Cosponsored by Senator LIBBY of Androscoggin and Representatives: ALLEY of Beals, CHACE of Durham, GROHMAN of Biddeford, HANLEY of Pittston, HILLIARD of Belgrade, LAJOIE of Lewiston, TEPLER of Topsham, TIMMONS of Cumberland.

EDUCATION AND CULTURAL AFFAIRS

Bill "An Act To Protect Public Health in the Maine Community College System"

(H.P. 109) (L.D. 151)

Sponsored by Representative CHIPMAN of Portland.

Cosponsored by Senator MILLETT of Cumberland and Representatives: GATTINE of Westbrook, HAMANN of South Portland, HEAD of Bethel, MAKER of Calais, PETERSON of Rumford, STUCKEY of Portland, VACHON of Scarborough, Senator: HASKELL of Cumberland.

Bill "An Act To Encourage Cardiopulmonary Resuscitation To Be Taught in High School"

(H.P. 110) (L.D. 152)

Sponsored by Representative CAMPBELL of Orrington.

Cosponsored by Representatives: HARLOW of Portland, LYFORD of Eddington, MAKER of Calais, NADEAU of Winslow, SIROCKI of Scarborough, TUELL of East Machias, TURNER of Burlington, VEROW of Brewer.

ENVIRONMENT AND NATURAL RESOURCES

Bill "An Act To Amend Setback Requirements and Standards Related to Species Migration under the Laws Regulating Development near Vernal Pools"

(H.P. 111) (L.D. 153)

Sponsored by Representative CAMPBELL of Orrington.

Cosponsored by Senator SAVIELLO of Franklin and Representatives: DUCHESNE of Hudson, HARLOW of Portland, NADEAU of Winslow, POULIOT of Augusta, RYKERSON of Kittery, TUELL of East Machias, Senators: MASON of Androscoggin, President THIBODEAU of Waldo.

HEALTH AND HUMAN SERVICES

Bill "An Act To Promote Greater Flexibility in the Provision of Long-term Care Services"

(H.P. 112) (L.D. 154)

Sponsored by Representative STUCKEY of Portland.

Cosponsored by Representatives: HUBBELL of Bar Harbor, MALABY of Hancock, Senator: LANGLEY of Hancock.

Bill "An Act To Expand Housing Opportunities for Patients with Complex Medical Conditions"

(H.P. 113) (L.D. 155)

Sponsored by Representative MALABY of Hancock.

Cosponsored by Representatives: CRAFTS of Lisbon, HARLOW of Portland, HEAD of Bethel, PETERSON of Rumford, SANDERSON of Chelsea, SIROCKI of Scarborough, VACHON of Scarborough.

Resolve, Directing the Department of Health and Human Services To Provide Coverage under the MaineCare Program for Routine Male Newborn Circumcisions

(H.P. 137) (L.D. 179)

Sponsored by Representative SANBORN of Gorham.

Cosponsored by Senator GRATWICK of Penobscot.

Bill "An Act To Allow Terminally Ill Patients To Choose To Use Experimental Treatments"

(H.P. 138) (L.D. 180)

Sponsored by Representative LONGSTAFF of Waterville.

Cosponsored by Representative WARD of Dedham, Senator BRAKEY of Androscoggin and Representatives: DUNPHY of Old Town, ESPLING of New Gloucester, FOWLE of Vassalboro, NADEAU of Winslow, PICCHIOTTI of Fairfield, SAUCIER of Presque Isle, SCHNECK of Bangor, Senator: PATRICK of Oxford.

Bill "An Act To Facilitate the Development and Operation of a Group Home for Post-High School Adults with Developmental Disabilities"

(H.P. 148) (L.D. 205)

Sponsored by Representative HUBBELL of Bar Harbor.

Cosponsored by Senator LANGLEY of Hancock.

INLAND FISHERIES AND WILDLIFE

Bill "An Act To Lower the Eligibility Age for a Junior Hunting License"

(H.P. 114) (L.D. 156)

Sponsored by Representative HILLIARD of Belgrade.

Cosponsored by Senator SAVIELLO of Franklin and Representatives: ALLEY of Beals, CRAFTS of Lisbon, DANA of the Passamaquoddy Tribe, ESPLING of New Gloucester, HANINGTON of Lincoln, POULIOT of Augusta, TIMBERLAKE of Turner, Senator: MIRAMANT of Knox.

Bill "An Act To Create an Advisory Committee To Review and Make Recommendations Regarding Hunting and Fishing Laws"

(H.P. 115) (L.D. 157)

Sponsored by Representative POULIOT of Augusta.

Cosponsored by Senator DUTREMBLE of York and Representatives: COREY of Windham, CRAFTS of Lisbon, HILLIARD of Belgrade, SHAW of Standish, Senator: SAVIELLO of Franklin.

Resolve, To Direct the Department of Inland Fisheries and Wildlife To Modify Fishing Rules for Webster Stream in Piscataquis County

(H.P. 116) (L.D. 158)

Sponsored by Representative EDGECOMB of Fort Fairfield.

Cosponsored by Senator EDGECOMB of Aroostook and Representatives: MARTIN of Eagle Lake, MARTIN of Sinclair, WHITE of Washburn, Senator: DILL of Penobscot.

JUDICIARY

Bill "An Act To Prevent Bad Faith Assertions of Patent Infringement"

(H.P. 117) (L.D. 159)

Sponsored by Representative DAUGHTRY of Brunswick.

Cosponsored by Senator HASKELL of Cumberland and Representatives: BROOKS of Lewiston, DeCHANT of Bath, DEVIN of Newcastle, EVANGELOS of Friendship, HICKMAN of Winthrop, HOGAN of Old Orchard Beach, KORNFIELD of Bangor, KRUGER of Thomaston.

Bill "An Act To Provide Reasonable Compensation to Jurors"

(H.P. 118) (L.D. 160)

Sponsored by Representative THERIAULT of China.

Cosponsored by Senator BURNS of Washington and Representatives: ESPLING of New Gloucester, HANLEY of Pittston, HEAD of Bethel, NADEAU of Winslow, SAWICKI of Auburn.

Bill "An Act To Ban the United Nations Agenda 21 in Maine"

(H.P. 119) (L.D. 161)

Sponsored by Representative LONG of Sherman.

Cosponsored by Senator BRAKEY of Androscoggin and Representatives: CRAFTS of Lisbon, DUNPHY of Embden, O'CONNOR of Berwick, STANLEY of Medway, TIMBERLAKE of Turner, TIMMONS of Cumberland.

Bill "An Act To Protect the Rights of Property Owners"
(H.P. 120) (L.D. 162)

Sponsored by Representative O'CONNOR of Berwick.
Cosponsored by Senator COLLINS of York and Representatives: CRAFTS of Lisbon, FARRIN of Norridgewock, FOLEY of Wells, LONG of Sherman, PICCHIOTTI of Fairfield, POULIOT of Augusta, WINSOR of Norway, Senator: BURNS of Washington.

Bill "An Act To Create Efficiencies in Court Process"
(H.P. 139) (L.D. 181)

Sponsored by Representative MONAGHAN of Cape Elizabeth.
Cosponsored by Senator BURNS of Washington and Representatives: FREDETTE of Newport, MOONEN of Portland, SHERMAN of Hodgdon, Senators: KATZ of Kennebec, VALENTINO of York.

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Bill "An Act To Provide Economic Development Assistance to Rural Communities"
(H.P. 121) (L.D. 163)

Sponsored by Representative MARTIN of Eagle Lake.
Cosponsored by Representative: MARTIN of Sinclair.

Bill "An Act To Establish the Maine Length of Service Award Program"
(H.P. 122) (L.D. 164)

Sponsored by Representative EVANGELOS of Friendship.
Cosponsored by Senator DUTREMBLE of York and Representatives: GINZLER of Bridgton, KRUGER of Thomaston, KUMIEGA of Deer Isle, LAJOIE of Lewiston, MAKER of Calais, SHAW of Standish, STANLEY of Medway, Senator: MIRAMANT of Knox.

MARINE RESOURCES

Resolve, Directing the Department of Marine Resources To Conduct an Impact Study in the St. George River Estuary
(H.P. 136) (L.D. 178)

Sponsored by Representative KRUGER of Thomaston.
Cosponsored by Senator GERZOFISKY of Cumberland and Representatives: EVANGELOS of Friendship, KUMIEGA of Deer Isle, PARRY of Arundel, PIERCE of Dresden, Senators: LANGLEY of Hancock, MIRAMANT of Knox.

STATE AND LOCAL GOVERNMENT

Bill "An Act Regarding the Funding of Volunteer Fire Departments"
(H.P. 123) (L.D. 165)

Sponsored by Representative THERIAULT of China.
Cosponsored by Senator CYRWAY of Kennebec and Representatives: ESPLING of New Gloucester, GUERIN of Glenburn, HANLEY of Pittston, HEAD of Bethel, SAWICKI of Auburn.

Bill "An Act To Allow York County To Better Provide Rescue and Ambulance Services"
(H.P. 124) (L.D. 166)

Sponsored by Representative BEAVERS of South Berwick.
Cosponsored by Senator DUTREMBLE of York and Representatives: BABBIDGE of Kennebunk, Speaker EVES of North Berwick, Senator: WOODSOME of York.

Bill "An Act To Prohibit a Municipality from Holding a Referendum To Legalize the Recreational Use of Marijuana"
(H.P. 125) (L.D. 167)

Sponsored by Representative CAMPBELL of Newfield.
Cosponsored by Senator COLLINS of York and Representatives: HOGAN of Old Orchard Beach, KINNEY of Limington, MASTRACCIO of Sanford, SAUCIER of Presque Isle, SHORT of Pittsfield, Senators: CUSHING of Penobscot, VOLK of Cumberland, WOODSOME of York.

Bill "An Act To Eliminate Term Limits for Legislators"
(H.P. 140) (L.D. 182)

Sponsored by Representative MARTIN of Eagle Lake.
Cosponsored by Representative: DION of Portland.

TAXATION

Bill "An Act Relating to the Sales Tax Exemption on Depreciable Equipment Used in Commercial Wood Harvesting"
(H.P. 126) (L.D. 168)

Sponsored by Representative MARTIN of Eagle Lake.
Bill "An Act To Amend the Laws Governing Groundwater Rights"
(H.P. 127) (L.D. 169)

Sponsored by Representative KORNFIELD of Bangor.
Cosponsored by Representatives: COOPER of Yarmouth, DAUGHTRY of Brunswick, MASTRACCIO of Sanford, RYKERSON of Kittery, SAUCIER of Presque Isle, SCHNECK of Bangor, Senators: JOHNSON of Lincoln, LIBBY of Androscoggin.

Bill "An Act To Remove the 180-day Active Duty Requirement for the Property Tax Exemption for Vietnam Veterans"
(H.P. 128) (L.D. 170)

Sponsored by Representative NADEAU of Winslow.
Cosponsored by Senator DUTREMBLE of York and Representatives: CAMPBELL of Orrington, FREDETTE of Newport, HANINGTON of Lincoln, LONGSTAFF of Waterville, MARTIN of Sinclair, SAUCIER of Presque Isle, SHORT of Pittsfield, Senator: DILL of Penobscot.

Bill "An Act To Decrease Property Taxes by Increasing the Sales Tax"
(H.P. 141) (L.D. 183)

Sponsored by Representative PICCHIOTTI of Fairfield.
Cosponsored by Representative: BECK of Waterville.

TRANSPORTATION

Bill "An Act To Provide a License Plate Decal for Emergency Medical Services Providers"
(H.P. 129) (L.D. 171)

Sponsored by Representative HEAD of Bethel.
Cosponsored by Representatives: ALLEY of Beals, CRAFTS of Lisbon, DILLINGHAM of Oxford, MALABY of Hancock, PETERSON of Rumford, PICKETT of Dixfield, TUELL of East Machias.

Bill "An Act To Allow Gold Star Parents Who Are Maine Residents To Use the Maine Turnpike at No Charge"
(H.P. 130) (L.D. 172)

Sponsored by Representative DOORE of Augusta.
Cosponsored by Senator CYRWAY of Kennebec and Representatives: BECK of Waterville, BROOKS of Lewiston, BRYANT of Windham, LONGSTAFF of Waterville, LUCHINI of Ellsworth, NADEAU of Winslow, SHORT of Pittsfield, Senator: PATRICK of Oxford.

Bill "An Act To Amend the Laws Governing the Gold Star Family Registration Plate and To Establish an Honorable Service Military Family Registration Plate"

(H.P. 131) (L.D. 173)

Sponsored by Representative FOLEY of Wells.

Cosponsored by Senator COLLINS of York and Representatives: BUCKLAND of Farmington, FREDETTE of Newport, GERRISH of Lebanon, HANINGTON of Lincoln, KINNEY of Limington, PRESCOTT of Waterboro.

VETERANS AND LEGAL AFFAIRS

Bill "An Act To Restrict the Raising of Money by Maine Clean Election Act Candidates"

(H.P. 132) (L.D. 174)

Sponsored by Representative PARRY of Arundel.

Cosponsored by Senator VALENTINO of York and Representatives: CHENETTE of Saco, FREDETTE of Newport, HARLOW of Portland, POULIOT of Augusta, SANDERSON of Chelsea, TIMMONS of Cumberland, Senators: CUSHING of Penobscot, DIAMOND of Cumberland.

Bill "An Act To Limit Maine Clean Election Act Funding to First-time Candidates"

(H.P. 133) (L.D. 175)

Sponsored by Representative SIROCKI of Scarborough.

Cosponsored by Senator COLLINS of York and Representatives: HARLOW of Portland, KINNEY of Limington, MALABY of Hancock, O'CONNOR of Berwick, PARRY of Arundel, SANDERSON of Chelsea, VACHON of Scarborough, Senator: VOLK of Cumberland.

Bill "An Act To Amend the Law Governing the Gathering of Signatures for Direct Initiatives and People's Veto Referenda"

(H.P. 134) (L.D. 176)

Sponsored by Representative SHORT of Pittsfield.

Cosponsored by Senator CUSHING of Penobscot and Representatives: BLACK of Wilton, CAMPBELL of Orrington, DUCHESNE of Hudson, DUNPHY of Embden, MARTIN of Sinclair, McCABE of Skowhegan, SHAW of Standish, STANLEY of Medway.

Bill "An Act To Reimburse Philip Wolley for Litigation Expenses Incurred in Connection with His Termination and Reinstatement as a State Employee"

(H.P. 142) (L.D. 184)

Sponsored by Representative GILLWAY of Searsport. (BY REQUEST)

Bill "An Act To Prohibit Certain Activities by Maine Clean Election Act Candidates"

(H.P. 147) (L.D. 204)

Sponsored by Representative MASTRACCIO of Sanford.

Cosponsored by Senator WOODSOME of York and Representatives: BATES of Westbrook, CHENETTE of Saco, DUNPHY of Embden, GILBERT of Jay, NOON of Sanford, SCHNECK of Bangor, STETKIS of Canaan, Senator: GRATWICK of Penobscot.

Equipment in Order To Minimize Off-target Deposition, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control (EMERGENCY)

(H.P. 145) (L.D. 202)

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute

Department of Agriculture, Conservation and Forestry, Board of Pesticides Control

Representative HICKMAN for the **Department of Agriculture, Conservation and Forestry, Board of Pesticides Control** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control (EMERGENCY)

(H.P. 146) (L.D. 203)

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute

Department of Education

Representative KORNFIELD for the **Department of Education** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 144) (L.D. 201)

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

Pursuant to Statute

Department of Agriculture, Conservation and Forestry, Board of Pesticides Control

Representative HICKMAN for the **Department of Agriculture, Conservation and Forestry, Board of Pesticides Control** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered

**Pursuant to Statute
Public Utilities Commission**

Representative DION for the **Public Utilities Commission** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 895: Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

(H.P. 143) (L.D. 200)

Be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Statute
Department of Environmental Protection**

Representative WELSH for the **Department of Environmental Protection** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 104) (L.D. 146)

Be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Statute
Department of Environmental Protection**

Representative WELSH for the **Department of Environmental Protection** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 500: Stormwater Management, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 105) (L.D. 147)

Be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Statute
Criminal Law Advisory Commission**

Representative HOBBS for the **Criminal Law Advisory Commission** pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asks leave to report that the accompanying Bill "An Act To Clarify Restrictions on Disclosure of E-9-1-1 System Information"

(H.P. 149) (L.D. 206)

Be **REFERRED** to the Committee on **JUDICIARY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

ORDERS

On motion of Representative LONGSTAFF of Waterville, the following House Order: (H.O. 9)

ORDERED, that Representative Gay M. Grant of Gardiner be excused January 13 and 14 for health reasons.

READ and **PASSED**.

The following items were taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, January 22, 2015, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing Thomas L. Welch, of Hancock

(HLS 33)

TABLED - January 20, 2015 (Till Later Today) by Representative HOBBS of Saco.

PENDING - **PASSAGE**.

The **SPEAKER**: The Chair recognizes the Representative from Saco, Representative Hobbins.

Representative **HOBBS**: Thank you very much Mr. Speaker and Women and Men of the House. It is an honor and a privilege to be the sponsor of this legislative sentiment recognizing Thomas L. Welch of Hancock on the occasion of his retirement as the Chair of the Maine Public Utilities Commission. He has served more than two and a half terms in total spanning nearly sixteen years.

Commissioner Welch was appointed as Chair of the PUC by three governors: Governor McKernan in 1993, and was reappointed by Governor King in 1999, and he was again appointed by Governor LePage in 2011. Chairman Welch is widely respected for his experience, expertise in utility and energy matters including incentive regulation, telecommunications pricing, wholesale and retail energy markets, and regulatory practice and process. He has been the leading player in the roles in regional discussions to increase the flow of natural gas into Maine in an effort to lower energy costs for electricity and natural gas customers, and issues related to deregulation of Maine's telecommunication industry.

He has played a leading role in the design and implementation of the restructuring of Maine electric utilities industry and regional wholesale markets bringing benefits and competition to the consumers of Maine. Under his leadership he has also made Maine become one of the first states in deploying a statewide Next Generation 911 system designed with the way people communicate between using voice, text messaging, video, and pictures.

During the last session of the Legislature, he was the guiding force behind the historic, Omnibus Energy Bill that was a bipartisan project of this Legislature and of the Energy, Utilities, and Technology Committee. Chairman Welch is known widely

for his intellect, his integrity, his judicial temperament, and his willingness and ability to assist policy makers as they make decisions involving very complicated utility regulation issues. As any member of the Energy, Utilities, and Technology Committee will attest and who Chairman Welch appeared before, he provided a tutorial and an instructive approach, especially to new members in the areas of the intricacies of telecommunication, energy issues, water utility regulations, Next 911 system design, and other areas of jurisdiction of the Committee. He has been a source of professional, personal inspiration to the Maine Public Utilities Commission, cultivating a workplace of innovation, teamwork, and excellence.

He has belonged to numerous professional organizations and served as a member of the National Association of Regulatory Utility Commissions, known as NARUC. NARUC's Executive Committee also was fortunate to have him as a member in NARUC's Electricity and Telecommunications Committees and also he served as a member of the New England Conference of Public Utilities Commissioners and served as Chair of that organization. He was also appointed by Governor LePage to serve as a manager of the New England States Committee of Electricity, known as NESCOE, a nonprofit organization representing the collective interests of the six New England states on regional electrical issues. He has served also as the President of the Federal-State Joint Board on Jurisdictional Separations and as a member of the Federal-State Joint Conference on Advanced Telecommunications Services.

Between his Commission appointments, Chairman Welch served and worked for PJM Interconnection, a Philadelphia based Regional Transmission Organization and for five years as an attorney at Pierce Atwood, LLP in Portland. He has also served, as mentioned before, as a professor, adjunct professor, at the University of Maine School of Law. Before moving to Maine, Chairman Welch, in 1993, served as the Chief Deputy Attorney General for Antitrust in the State of Pennsylvania, Commonwealth of Pennsylvania, in the Attorney General's Office, and was in-house counsel for Bell Atlantic, and Assistant Professor at Villanova School of Law. Chairman Welch graduated from Stanford University in 1972 and Harvard School of Law in 1975.

We send our appreciation and gratitude to Chairman Welch for his many years of dedicated public service, and for commitment to the citizens of Maine. We extend our congratulations and best wishes to him on his retirement. Thank you.

The SPEAKER: The Chair recognizes the Representative from Newport, Representative Fredette.

Representative **FREDETTE**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I think it speaks well of Tom Welch that as I came into my second term in the Maine Legislature, I had this thought one day: I'd like to do an energy bill, but I don't know where to start. And so I had known of Tom during the McKernan years as I had worked on Governor McKernan's reelection campaign, and I had heard of him at that point in time and his accolades over the years, and so being an entreprenuring, young second-term, I said, "Well, I'll call Tom Welch," and see if he would guide me on some ideas on how to do an energy bill. Much to my surprise he agreed to meet with me.

And even more to my surprise, if any of you ever travel up Interstate 95, and pass the Newport exit, and most people will stop at either Irving and get gas, or either the Dunkin' Donuts. Tom agreed to meet me at the Irving in Newport on one Friday afternoon in the middle of summer. He came in and we sat down and we had a nice conversation, and ultimately Tom turned to me

and said, "You know, you really want to do an energy bill, you really want to get into this?" And I said, "Yes I do."

And from there, quite frankly, started a journey that lasted well over a year. I had the wonderful opportunity to work with my good friend, my respected friend, Representative Hobbins who cosponsored the Omnibus Energy Bill with me and Senator Cleveland, and we worked through the summer and we worked through the year to pass what I think was a bill that is, quite frankly, shaping the conversation in New England right now in terms of what our electrical prices are and what our energy needs are going to be into the next 20 years. Quite frankly, to the point that there is a pending case now before the Public Utilities Commission related to specifically that issue.

And, so I have greatly enjoyed the opportunity to work with Tom. He has a home down on Hancock Point which I understand he is going to be enjoying quite a bit more. I travelled down to Portland a couple weeks ago where he had a, just a fantastic retirement party with many people there singing his accolades on many different levels and I understand that he's going to plan on doing some travelling before he comes back to Maine to enjoy himself. But I could not ask for a better friend, mentor, person, public servant to the people of the State of Maine, and I wish him the very best in his retirement. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Russell.

Representative **RUSSELL**: Thank you Mr. Speaker, Men and Women of the House. I am really honored to rise and to add my thanks to Tom Welch's work. In addition to having one of the best mustaches in the State House, Tom Welch comes to the table with a very Joe Friday perspective, which sort of matches his really awesome mustache. One of the things that I always appreciated serving on the Energy Committee, was that you get all this information from multiple sides, and the information changes as fast as you could possibly imagine, but the thing with Tom was always that we could count on his information. He was very much the "facts man"; just the facts. He was very, very Joe Friday, and so you built a level of trust with him, and what he came to tell us was really valued on the committee and I think it had a lot to do with why we were able to pass the Omnibus Energy Bill, which some of us secretly called the Ominous Energy Bill, let's be honest. Took a little while to get through.

But, honestly, it's been such a pleasure to serve with Tom, to have someone who, really who's intellect matches his passion. I think the good Representative from Newport talked about how the transformational policy that we passed last term really has set the stage for being able to lower electricity costs across the region. You know, we are not, when it comes to electricity, our own little world, as much as we'd like to be. We are part of the New England Grid, and sometimes that creates real problems when we're trying to negotiate prices down to an affordable level. And what we've done, with Tom's leadership and with the good Representative from Newport and the good Representative from Saco's leadership is that we're able to change that and to be able to start the conversation about moving natural gas up here which would lower electricity prices.

I don't think we've actually seen the magic behind Tom Welch's intellect just yet. I think we're starting to see it when we see the headlines around energy policy, but what's really going to happen is 3-5 years from now when the outcomes come to fruition for the Omnibus Energy Bill, I think people are going to look back at this day, especially those of us that are in the chamber recognizing his accomplishments and realize that everything that he's done to date has been nothing compared to

what is about to happen with the transforming of the energy policy.

Energy policy, as you know, has a lot to do with economic policy. Much of the economic discussion around major corporations in this state, and we're looking at Verso paper for example, stems from the electricity rates, and Tom has done such a good job of staying the course and being able to build bridges between conservatives and progressives like myself who have very different views on how to approach energy policy. He brought us together, he forced us to sit at the table and really, you know, developed trust and a strong relationship with folks that drove the final discussion and the final outcomes and a lot of what happened, happened here in the House.

So, I just want to add my thanks to Tom. He will be greatly missed, not just for his stellar personality which we all love, but more importantly for his intellect, his stay-the-course manner, and his capacity to really build bridges when so many things around him are burning pretty extensively. So, kudos Mr. Welch, you have earned your retirement and I thank you today, but five years from now I think the whole State of Maine is really going to be thanking you for your leadership.

The SPEAKER: The Chair recognizes the Representative from Embden, Representative Dunphy.

Representative **DUNPHY**: Thank you Mr. Speaker. Mr. Speaker, in an environment where people think they have all of the answers to all of the World's problems, I would suggest that Chairman Welch in fact does. He's been an amazing resource and his ability to take hugely complex issues and break them down so that even a legislator can understand them, it's astounding. So, he guided our Committee, he was always available for questions, very, very thoughtful, and I'd just like to wish Chairman Welch fair winds and following seas. Thank you sir.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Beavers.

Representative **BEAVERS**: Thank you Mr. Chair. I'm going to chime in as a third term member of the Energy, Utilities, and Technology Committee. I can't tell you how much I appreciate the education that Chairman Welch provided us the last two terms. And he deserves a special medal for putting up with one of my constituents, who he knows who I'm talking about. And, just want to say thank you for all the reasons everyone's already said. Thanks.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Gideon.

Representative **GIDEON**: Thank you Mr. Speaker. Mr. Speaker, Women and Men of the House, one of my first memories of PUC Chairman Tom Welch actually precedes my meeting him. As a new member to Energy, Utilities, Technology Committee in the 126th, I spent a lot of time with individuals trying to learn the ropes a little bit and understand some of the acronyms like ISO, RPS, KWH, PUC. And during one of my conversations with someone, the person sitting across the table from me said, talked a little bit about Tom Welch as the Chairman and he said, "Did you know that Governor Angus King, used to call him the Smartest Man in Maine?"

Well, at that moment, I wasn't sure whether to be comforted by that idea, or whether to be even more intimidated, because I was intimidated by the world of Energy, Utilities, and Technology.

Mr. Speaker, I tell you this because I quickly came to learn that Chairman Welch was all about doing his job with excellence, and that a big part of that excellence meant explaining things to legislators and making sure that legislators could speak the complicated world of technology.

It's one thing to understand these incredibly complex issues, it's another thing entirely to explain them. He has been a problem solver who can untangle twisted paths. He has been a leader who can bring regional entities and political personalities to a solution. He has been a public servant who can articulate a vision of how things can function better to a rotating committee of lawmakers who are constantly learning the proverbial ropes.

So, to the smartest man in Maine, we thank you. We bid you farewell on your next journey. May the lights stay on and may the basis differential be ever shrinking.

Subsequently, the Sentiment was **PASSED** and sent for concurrence.

Bill "An Act To Reduce the Time within Which a Challenge to a Tax Lien Foreclosure May Be Filed"

(H.P. 58) (L.D. 64)

(Committee on **TAXATION** suggested)

TABLED - January 14, 2015 (Till Later Today) by Representative McCABE of Skowhegan.

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

SENATE PAPERS

The following Joint Order: (S.P. 75)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 3, 2015 at 10:00 in the morning.

Came from the Senate, **READ** and **PASSED**.

READ and **PASSED** in concurrence.

Bill "An Act To Authorize a General Fund Bond Issue for Bicycle and Pedestrian Projects"

(S.P. 68) (L.D. 193)

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act To Reverse Jail Consolidation"

(S.P. 61) (L.D. 186)

Bill "An Act Regarding County Jails"

(S.P. 70) (L.D. 195)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Bill "An Act To Clarify the Law Governing the Collection of Unpaid Sanitary District Charges"

(S.P. 67) (L.D. 192)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

Bill "An Act To Add Certain Capital Goods to the Product Stewardship Exclusions"

(S.P. 65) (L.D. 190)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

Resolve, To Expand Dental Care in the State by Extending the Pilot Program for Dental Hygienists (EMERGENCY)

(S.P. 62) (L.D. 187)

Bill "An Act To Protect Employees from Abusive Work Environments"

(S.P. 63) (L.D. 188)

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

Bill "An Act To Require the Transfer of a Forest Management and Harvest Plan upon the Transfer of Land in the Tree Growth Tax Program"

(S.P. 66) (L.D. 191)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

REFERRED to the Committee on **TAXATION** in concurrence.

Bill "An Act To Prohibit the Use of a Mobile Telephone When Operating a Motor Vehicle Except in Hands-free Mode"

(S.P. 60) (L.D. 185)

Bill "An Act To Ensure the Safety of Stationary Public Utility Emergency Service Vehicles"

(S.P. 71) (L.D. 196)

Came from the Senate, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

REFERRED to the Committee on **TRANSPORTATION** in concurrence.

Bill "An Act To Prohibit Undisclosed Political Spending"

(S.P. 64) (L.D. 189)

Bill "An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting"

(S.P. 72) (L.D. 197)

Came from the Senate, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

On motion of Representative EDGECOMB of Fort Fairfield, the House adjourned at 11:23 a.m., until 10:00 a.m., Tuesday, February 3, 2015, pursuant to the Joint Order (S.P. 75).